

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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Michael Gibson

(In the space above enter the full name(s) of the plaintiff(s).)

REC'D JAN 23 2025

- against -

CITY OF Philadelphia: and  
"OFC" Gerard Brennan 22nd dist  
"OFC" Carolyn Young 22nd dist  
"OFC" Sgt Richard Sharp 22nd dist  
"OFC" CPL Brooks 22nd dist  
"OFC" Sgt William Yancer IAD  
"OFC" Capt Pasqual Agozzino IAD  
"OFC" "INSPI" George J Kappe IAD  
Director of Investigations Jamison Rogers CPOC "OFF" and "IND" CAP

COMPLAINT

Jury Trial:  Yes  No

(check one)

JURY TRIAL Demanded,  
Refusing after dismissal  
without Prejudice.

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff	Name
	<u>Michael Gibson</u>
	Street Address
	<u>2130 N. Van Pelt Street</u>
	County, City
	<u>Philadelphia, Philadelphia</u>
	State & Zip Code
	<u>PENNSYLVANIA 19121</u>
	Telephone Number
	<u>267-320-4152</u>

Michael Gibson

2130 N. Van Pelt Street

Philadelphia, Philadelphia

PENNSYLVANIA 19121

267-320-4152

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name City of Philadelphia  
 Street Address 1515 Arch Street 17th Floor  
 County, City Philadelphia, Philadelphia  
 State & Zip Code Pennsylvania 19102

Defendant No. 2

Name "OFC" Gerard Brennan  
 Street Address 400 N Broad Street  
 County, City Philadelphia, Philadelphia  
 State & Zip Code Pennsylvania 19130

Defendant No. 3

Name "OFC" Carolyn Young  
 Street Address 400 N. Broad Street  
 County, City Philadelphia, Philadelphia  
 State & Zip Code Pennsylvania 19130

Defendant No. 4

Name "OFC" Sgt Richard Sharp  
 Street Address 400 N. Broad Street  
 County, City Philadelphia, Philadelphia  
 State & Zip Code Pennsylvania 19130

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)

Federal Questions       Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue?

1st amendment right of freedom of speech, expression  
Freedom from retaliation for exercising 1st amendment  
rights, 4th amendment violation unreasonable seizure

23-4227 KSM

B ATTACHMENT  
DEFENDANT'S LIST

PART I

Defendant No. 5 "OFC" CPL. Brooks and "dist"

Street address 400 N. Broad Street  
County, City Philadelphia, Philadelphia

State, Zip code Pennsylvania 19130

Defendant No. 6 Name "OFC" William Yancey IAD

Street Address 400 N. Broad Street

County, City Philadelphia, Philadelphia

State Zip code Pennsylvania 19130

Defendant No. 7 Name "OFC" Pasqual Agozzino IAD

Street Address 400 N. Broad Street

County, City Philadelphia, Philadelphia

State, Zip code Pennsylvania 19130

Defendant No 8 Name OFC "Insp" George J Kappel IAD

Street Address 400 N. Broad Street

County, City Philadelphia, Philadelphia

State Zip code Pennsylvania 19130

Defendant No 9 Name Director of Investigation Jamison  
Rogers C.P.O.C.

Street Address 1515 Arch Street 11th FL

County, City Philadelphia, Philadelphia

State Zip Pennsylvania 19102

B, continued federal constitutional statutory, treaty "RF" at issue of evidence. 5th amendment violation of right to due process, and right to not be subjected to government threats, intimidation or coercion, to bypass legal procedure. 4th amendment violation, unreasonable seizure of evidence, by coercion and collusion, 14th amendment right violation of equal protection under the law and due process.

- C IF the basis for jurisdiction is diversity of citizenship, what is the state of citizenship of each party  
Plaintiff's state of citizenship Pennsylvania  
Defendant's states of citizenship unknown  
Presumption of diversity of citizenship.

### JURISDICTION AND VENUE

1 Subject matter jurisdiction is conferred upon this honorable court by 28 USC § 1337 relating to "any civil action or proceeding arising out of any act of Congress regulating commerce, 28 USC § 1343 (4) and 28 USC § 1331, 42 USC § 1983 and 42 USC § 1985."

2. Basis of JURISDICTION

Basis for jurisdiction is this Court has supplemental jurisdiction over the related state law claims pursuant to 28 USC § 1337(a) because these claims form a part of the same case, or controversy under article III of the United States Constitution. Plaintiff state law claims share all the common operative facts with his federal law claims, and the parties are identical.

3. Resolving Plaintiff Federal law claims in a single action, serve the interest of judicial economy, convenience, consistency, and fairness to the parties

4. The Court properly maintains personal jurisdiction over Defendants because Defendants contacts with this state and this judicial district are sufficient for the exercise of jurisdiction over defendant to comply with traditional notions of fair play and substantial justice, thus satisfying the standard set forth.

23 - 4227 KSM

by the United States Supreme Court  
in International Shoe Co v. Washington,  
326 US 310 (1945) and its progeny

5. venue is appropriately laid in the United States District Court for the ~~EASTERN~~  
DISTRICT OF PENNSYLVANIA pursuant to 28 USC § 1331 (b) (2) inasmuch as all parties regularly conduct business within this district, and the act complained of by the plaintiff arose herein.

### III Statement of Claim

6. Plaintiff hereby incorporates the prior and subsequent paragraphs of this complaint, as though fully set forth at length.

7 Michael Gibson (hereinafter Plaintiff)  
hereby files this complaint <sup>pro se</sup> alleging 42 USC § 1983 "equal protection violations" 14th amendment due process, 42 USC § 1985 "conspiracy to interfere with civil rights, libel, 1st amendment Retaliation" for exercising 1st amendment right, freedom of speech, expression right to petition government.

False Claims Act (31 USC § 3729) "violation"

8 Plaintiff realleges, adopts and reasserts his pleadings, statement of claims statements of factual allegations in second amended complaint.

9 These pleadings are in paragraphs 7 thru 160 respectfully.

10 Plaintiff asserts, that the adoption of his pleadings in his second amended complaint is not piecemeal, but a necessity due to the complexity of the conspiratorial extraordinary circumstances involving powerful public officials manipulating events, to change the outcome of this case.

11 The adoption of pleadings in Plaintiff's second amended complaint is a necessity for the clarification of these events.

12 Plaintiff is a 75 yr old disabled Black man of a protected class.

13 The City of Philadelphia is a municipality of the Commonwealth of Pennsylvania with a local office address of 1515 Arch Street 17th Floor.

14 Defendant owns, operates, manages directs and controls the Philadelphia Police Department ("PPD") the police Internal Affairs Division ("IAD"), Philadelphia Police Oversight Commission ("CPOC") whose agents, servants and employees at all times were acting within the course and scope of their employment, under the color of state law and operating pursuant to official policies, customs or practices of their agencies.

15 Plaintiff brings forth this complaint, the January 23 2023 "IAD" investigative report, Final Finding and disposition of Plaintiff's allegation of police misconduct.

A

PLAINTIFF brings forth the actions of CPOC's investigations director Jamison Rogers a former Chester County P/O and detective, his investigative involvement and handling of two separate police excessive force complaints.

- 16 The first event giving rise to Plaintiff's claim arose at and with the police IAD division on January 23, 2023 at the completion of Sgt William Yancer's investigation
- 17 After a long wait and persuasion by Plaintiff to CPOC Jamison Rogers investigator, former Chester Police Officer, Detective director of investigations for the CPOC, Plaintiff received the report around JAN 5, 1030 AM
- 18 The second event giving rise to rise to Plaintiff's claims arose August 7, 2024 when Plaintiff received an email regarding his complaint request to the City Council Chrefet staff Elshafiq Ali of council's 5th district as to information from the CPOC investigator Director Jamison Rogers as to why Plaintiff received

NO disposition or district control number was issued or given to complainant, the Plaintiff in this case by the police or the CPOC.

- 19 This was an violent assault and battery on the plaintiff, a 74 year old disabled black man exercising his Constitutional rights to file a grievance guaranteed by the 5th amendment due process clause.

C FACTUAL BACKGROUND

JANUARY 23, "IAD" INCIDENT INVESTIGATION

- 20 Plaintiff incorporates the prior and subsequent paragraphs in this complaint as though fully set forth at length,

UPON reviewing the "IAD" memorandum Plaintiff saw it was egregious, appalling, defamatory, degrading and laden with fraudulent statements,

- 21 inaccuracies so vile, outrageous  
it exhibited racial hatred and  
animosity,
- 22 In this memorandum, Sgt William YANCER  
sought to make Plaintiff look like  
a Liar, a mentally ill person, that  
was irrational.
- 23 Sgt. William YANCER misrepresented fraudulently  
multiple facts, omitting the number of police involved.
- 24 He stated Plaintiff was the aggressor  
during the time of the incident.
- 25 YANCER denied any assault, battery,  
illegal restraint, excessive force  
threat of deadly force, or  
false imprisonment of Plaintiff  
took place.
- 26 nearly every statement of this  
"Off." Sgt William YANCER was fraudulent  
concealment and a conspired cover up  
of what actually occurred JAN 20, 2015.

27 P/O YANCER AND AGOZZINO DID PURPOSEFULLY DISCRIMINATE AGAINST PLAINTIFF ON THE BASIS OF RACE.

They did not simply omit names in their report or simply mis characterize occurrences, as court interpreted.

28 Both YANCER, AGOZZINO CONSPIRED TO CONCEAL AND COVER UP FEDERAL CRIMES AND CIVIL RIGHTS VIOLATIONS OF PLAINTIFF'S BY HAVING 5TH, 1ST AMENDMENT RIGHT BY 9 NOT TWO POLICE OFFICERS AND WRITTEN DOWN IN AN OFFICIAL POLICE INVESTIGATIVE REPORT.

29 BOTH MEN UNDER THE COLOR OF LAW INJECTED INTERENCES, THAT INVOLVED THE FBI THAT WAS NOT TRUE.

30 THIS IS A FEDERAL CRIME STATUTE 100%.

THEY BOTH WERE IN COLLUSION & COLLABORATED AGREEMENT ON THEIR LIES & MURKLENT MISREPRESENTATION & FRAUDULENT CONCEALMENT AND THAT THEY BOTH FABRICATED THAT

I the victim of police brutality stated that the FBI staged a sexual discrimination lawsuit on me,

31. Vanterbladtly fabricated the statement, that I was certain the FBI were intercepting my documents personal files from Philadelphia multiple agencies.
32. The Plaintiff did state that documents were intercepted by the City Solicitors Nicole Morris Frank Wehr, and present U.S. District Court magistrate Judge Craig Straw has detailed knowledge of this occurrence.
33. It is plain & presumption that the material facts of what occurred regarding Plaintiff's documents in the Law Dept. in the hands of City Solicitors, some of who were former US Attorneys, such as Anne Taylor, Nicole Morris, I presume was made known to judges US Attorney Prosecutors and other colleagues in this United States Eastern District Court.

36 If IAO police officials Sgt Yancer Capt Agozzino, both were in agreement with the statements made, collaborated on in their January 23, 23 memorandum and acceptance approval by IAO Head of Internal Affairs Officer Inspector George J Kappe who signed off on their findings is conspiracy to interfere in Plaintiff's civil rights.

35 wherein 405 of the due process clause, 14th amendment protection, 1st amendment equal to be free from retaliation right government officials was violated,

36 Their actions, fabricated defamatory statements, are not just libel but an ongoing conspiracy to achieve an ends,

37 Every statement Plaintiff made to Yancer in the documented recorded interview are the true material facts they concealed.

38 Upon receiving this memorandum from CPOC Director of Investigations I was appalled at its contents

39 This treatment of Plaintiff was disparate racial discriminatory, which is a pattern of the way police conduct business when it involves Black citizens, ie DOB v Phila.

40 Upon discussion with CPOC Director Tamara Rogers, who was head of investigation, I found out he too was in agreement that my allegation of the 2015 or Feb 20 was UNFOUNDED.

41 The conspired cover up of this incident which resulted in the permanent LOSS of my beloved sister Debra Gibson was not only appalling but outrageous intentional Harassment, Intimidation, of injured crime victim, whistle blower on police corruption in violation of whistle blower Laws, Plaintiff's 1st amendment rights, 14th equal protection, 455 Due process clause,

- 42 They 20<sup>th</sup> district Sgt Robert Sharp  
IAD sgt William Yaneer, CAP +  
Agazzino conspired and corroborated  
their fraudulent account of the event  
which occurred on February 20 2015.
- 43 Their commanding officer Head of  
"IAD" OFc TNSP George V Kappe  
who signed off on this January  
23/23 memorandum is equally guilty  
of violation of Plaintiff's 1st  
amendment rights and well as Plaintiff's  
14th amendment rights of equal protection
- 44 22<sup>nd</sup> District reporting officers  
Gerard BRENNAN and OFc Carolyn  
YOUNG are equally guilty of  
violation of Plaintiff's 1st  
amendment right of equal protection  
and due process despite declining  
to give statements
- 45 Plaintiff asserts that all of these  
officers & authority concealed a  
State Law claim fails under Federal

- 46 JURISDICTION, thru confirmed conspiracy  
and as a matter of LAW 42 USC  
§ 1367 because these claims share,  
form a part of the same case or  
controversy under article III of  
the United States Constitution.
- 47 They share the same operative fact  
with Plaintiff Federal Law Claims.
- 48 In particular 42 USC § 1983 part of  
the Civil Rights Act of 1871  
protects whistle blowers from  
retaliation by public official for  
disclosing constitutional violations  
such as Plaintiff has exercised.  
during these outrageous circumstances,
- 49 On or around February 5<sup>th</sup> 2023 Plaintiff  
requested a disposition of the  
investigative findings of CPDC.
- 50 Plaintiff communicated with the  
CPDC Director of Investigations  
JAMISON ROGERS.

CPOC February 2023 October 2024 INCIDENTS

51

AFTER NUMEROUS PHONE CONVERSATIONS  
WITH CPOC DIRECTOR OF INVESTIGATIONS  
DURING THE 1<sup>ST</sup> WEEK OF FEBRUARY 2023,  
THE ISSUANCE OF THE "IAD"

MEMORANDUM OF THEIR FINDINGS  
IT BECAME EVIDENT TO PLAINTIFF  
THOMAS ROGERS WAS IN CONCERT WITH  
THE POLICE IN "IAD" SGT WILLIAM  
YANCER, CAPT. PASQUAL AGORZINO AND  
"INSP." GEORGE J KAPPE.

52

WHEN DURING THESE INTERACTIONS WITH  
ROGERS, I REQUESTED ASPECTS OF  
HIS INVESTIGATIVE REVIEW, &  
HIS INVESTIGATIVE DETERMINATION  
ROGER TOO STATED HE AND THE  
CPOC WERE IN AGREEMENT WITH THE  
ABOVE INDICATED OFFICERS.

53 ROGERS SPECIFIED PLAINTIFF'S ALLEGATIONS  
OF PUBLIC CORRUPTION, POLICE BRUTALITY,  
INACTION OF THE 8 POLICE OFFICERS  
ALLOWANCE OF THE ABDUCTION OF  
PLAINTIFF INCAPACITATED SISTER UNDER  
THE THREAT OF DEADLY FORCE WAS UNFOUNDED.

54 JAMISON ROGERS IN THIS CONVERSATION  
EXRESSED SENTIMENT THAT WAS UNWAVERING

55 AFTER PLAINTIFF ELABORATED ON HOW IAD'S  
INVESTIGATOR SGT WILLIAM YANCERS  
INVESTIGATORY CLAIMS OF STATEMENTS  
HE MADE IN A RECORDED  
INTERVIEW WAS NOT ONLY APPALLING  
OFFENSIVE TO ME A VICTIM OF  
POLICE BRUTALITY, BUT DEFAMATORY  
DEGRADING AND HUMILIATING

56 Roger response was "DO YOU  
WANT TO BE REFERRED TO SOMEONE  
FOR PSYCHIATRIC HELP."

57 Roger's response to plaintiff was  
clearly mirroring Sgt Yancers  
degrading fraudulent statement  
that plaintiff stated in the recorded  
interview as in his report "Michael  
Gibson stated he has been seen by  
doctors and phycologists from all  
over the world, who are able to  
validate his beliefs".

- 58 CPOC's investigator Roger collaboration with IAD official Sgt Ymer, Capt Agozzing and head of IAD  
INSP. George J Kappe is a clear violation of Plaintiff's amendment rights to equal protection due process, due to his failure to Fair Due process investigating Plaintiff's complaints of police misconduct.
- 59 Roger of the CPOC has violated Plaintiff's Due process rights by not only colluding with IAD officials Plaintiff implicated in prior Paragraphs and documented pleadings but has in his correspondence to ten of his staff at the CPOC exposed his collaboration with assistant district attorney Brett Zaksosian of the special investigation unit of the DAs office.
- 60 Roger has abused his position of power in an overt act of

- 61 Conspiracy to interfere with plaintiff's right to due process, equal protection as well as plaintiff's 1st amendment right to file grievance against government officials, who engage in public corruption.
- 62 IT IS plaintiff's presumption Rogers actively participated in official oppression failing to review evidence that is inculpatory against the defendant police officers
- 63 Roger recently boast when he came into position as CPOC's 1st director of Investigations to channel 6 abc News Christie Neto "there was no investigative capacity at this level before he arrived."
- 64 Roger statement to new reporter on television channel 6abc news -

- 65 Pac did have some investigators, but again the amount of authority at the time does not compare to where we're at now" said Rogers.
- 66 Rogers stated, "authority would include things like recommending charges and subpoena powers."
- 67 Rogers also stated on ABC news, that if IAD sent a report to them and they see missing pieces, "they can send it back and ask them to take a second look at it" he added.
- 68 Since the debut of the CPDC, the commission has been allocated more than 3 million dollars in taxpayer money.
- 69 It has been reported that the CPDC has not yet independently investigated not one complaint of police misconduct.

- 70 Plaintiff has openly stated before City Council members, Philadelphia citizens at the June 13 2024 City council hearing, that I stated there is public corruption in the police department.
- 71 Plaintiff stated there is abuse of power by police officials in high positions and that Plaintiff was recently assaulted in the lobby of the 2nd district police station
- 72 Plaintiff stated to Philadelphia citizens and city council, that they are doing everything to stop him from testifying in Federal court
- 73 Plaintiff stated he had been threatened, intimidated, attacked, and injured to the point he suffers every day and night from the officer inflicted pain on him a 74 yr old man, who's only effort was exerting his constitutional rights

FALSE CLAIMS ACT VIOLATION

74 Plaintiff alleges, that from his knowledge belief and observation and interactions with CPOC director Jonison Rogers

Plaintiff received no help whatsoever when he reached out to this city official about a prior incident of police misconduct and most recently for assault and battery on him the Plaintiff while exerting his 1st amendment right to file a criminal complaint.

75 Instead of assistance from Jonison Rogers Plaintiff was met with indifference,

76 Plaintiff has observed this city official siding with the police investigative officer at FPD and most recently a assistant District Attorney,

This is misappropriation of government funds, when service is not rendered.

77 CPOC Director Garrison Rogers actions  
is a far cry from his statement  
to abc news publicly broadcasted,

78 IT IS MY PRESUMPTION FROM HIS  
FRAUDULENT STATEMENTS TO HIS  
CORRESPONDENCE, INDICATES HE  
GARRISON ROGERS HAS COLLUSION WITH  
WITH A ASSISTANT DISTRICT ATTORNEY  
AND THE POLICE IN A CONSPIRACY  
TO DEPRIVE MY CONSTITUTIONAL RIGHTS  
TO EQUAL PROTECTION AND DUE PROCESS

79 GARRISON ROGERS ALSO SENT THIS  
DEFAMATORY CHARACTOR DAMAGING  
FRAUDULENT CORRESPONDENCE TO  
CITY COUNCIL YOUNG CHIEF OF  
STAFF EL SHAFIYQ ALI WHERE HE  
STATED HE WAS WORKING WITH THE  
DISTRICT ATTORNEY'S OFFICE REGARDING  
PLAINTIFF'S COMPLAINTS ON POLICE.

80 THIS OFFICIALS ACTION IS A CLEAR  
VIOLATION OF THE FALSE CLAIMS ACT  
WHEREIN, AN MUNICIPAL EMPLOYEE  
MAKES A FALSE CLAIM TO THE GOVERNMENT  
HE KNOWS AS FALSE TO GAIN POWER OR PROMOTION

- 81 ON May 31 2024 9:49 AM Director of  
Investigation at CPOC Tammie Rogers  
emailed approximately 7 of his  
staff this correspondence,
- 82 In part 1 it stated Good morning  
Team, we are all familiar with  
Mr Gibson's frequent calls to this  
office regarding numerous unfounded  
complaints. S.
- 83 Some of you may also be aware he  
has been contacting the US Attorney's  
Office as well as the District  
Attorney's Office.
- 84 It goes on to say I the Plaintiff  
have been warned by the D.A.'s office.
- 85 He referring to a ADA in the special  
Investigation unit.
- 86 The ADA he is referring to is ADA  
Brett Ziskeosian.

- 87 ON THE 14TH day OF APRIL 2023 Plaintiff  
Email CPOC Director of Investigation a  
8 page document of unsworn testimony as to  
the public corruption in the PPD and the  
IAO on the cover up of the TRU e material  
Facts of what occurred Feb 20 2015  
when Plaintiff called 911 for assistance  
IN A home invasion.
- 88 Plaintiff detailed what occurred on  
that document which it emailed to him  
and he acknowledged he received it
- 89 Plaintiff also Email the Police Commissioner  
as well as City Solicitor Diana  
Cortes with a Form I demand letter  
because Plaintiff evidentiary document  
sent to both city Solicitor Christopher  
Ryder and Mayor Kenney was illegally  
intercepted.
- 90 The Employment Labor unit City Solicitors  
wherein Ryder who was handling  
Plaintiff Pennsylvania Human  
Relation Discrimination Case against  
The City Plaintiff Filed denied ever  
having received until Plaintiff went  
cc

to the office of the FBI, and while there a tex message was sent to Plaintiff phone by city solicitor Frank Wehr stating he found documents.

- 91 Plaintiff FF was aware that city solicitor Diana Cortes was a assistant district attorney in the Philadelphia DAs office.
- 92 5 month later, upon inquiry as to the criminal complaint regarding attorney's and substaingd complaint regarding police Excessive Force and its coverup & the plaintiff was assulted by Ezekiel Cortes
- 93 IT is Plaintiff presumption he is a relative of City Solicitor Diana Cortes.

This incident is currently being covered up in a continuing conspiracy by FPD official ADA Zakeosian and CPOC Tami Son Rogers.

94 These intentional actions of the police official I have implicated, have violated Plaintiff's 14th amendment rights, 1st Amendment rights, 455 Due Process Rights in violation of Title VI of Civil Rights Act of (1964)

95 P/D C/P Brooks by not assigning a DC number (as is a police departmental requirement) violated the above named civil rights of Plaintiff

96 Sgt William Yancer, of IAD as well "Cpl" Raymond Sagess; who has denied ANY bodycam footage of Cortes assault on Plaintiff exists,

97 As previously a corporal in IAD violated all of the civil rights of Plaintiff specified in the aforementioned above paragraphs.

98 Because of this overt act, of ongoing conspiracy to interfere in Plaintiff's civil rights by these official Plaintiff is declining to name Sagess Cortes as defendant until

99 which time, Plaintiff can  
have D.A. Larry Krasner or a special  
prosecutor of the Attorney General's  
Office or the Department of Justice  
investigate this entire matter.

100 Plaintiff asserts all of the aforementioned  
and alleged actions of each of these 9  
individual defendants violated and  
are still in violation of Plaintiff's  
equal protection, rights, due process  
rights

101 Plaintiff asserts the actions of  
each named defendant. In these  
pleadings establish a discriminatory  
effect,

102 were motivated by discriminatory  
purpose.

103 Plaintiff asserts he is 75 yr old  
Black man with multiple disabilities  
of a protected class

In all Plaintiff's interaction with  
these defendants Plaintiff was

- 104 Denied due Process by each and every of the named defendant number 1 Thru defendant #9.
- 105 By conspiring to conceal inculpatory evidence of Police misconduct, police excessive force, which recently injured Plaintiff in a fashion he still suffers from the injury of torturous assault and torturous battery.
- 106 Plaintiff is hindered from and obstructed from obtaining due process.
- 107 Plaintiff alleges and asserts that each and every defendant #1 thru defendant #9 engage & in conspiracy to interfere with Plaintiff's 1st & 4th & 5th & 14th amendment rights.
- 108 They did so with racial animus, and were motivated by either discriminatory intent in violation of the above stated rights in seeking a gain in power or promotion in the form of kickbacks,

BR

- 109 equal protection is typically not a requirement when the defendant conspired to interfere with rights.
- 110 Jamison Rogers stated in his correspondence to City Council member Jeffrey Young's Chief of Staff, that he was working with the District Attorney's Office, where himself and the ADA were in agreement, Rogers forward City Council Chief of Staff all documents ZAKeosian coerced Plaintiff to sign.
- 111 Plaintiff draft a formal revocation of that waiver, which Plaintiff has already started in previous pleading to the Federal Judge in this case.
- 112 Plaintiff will submit after he refiles his case.
- 113 It is Plaintiff's presumption former Chester County Police Detective was compensated for not investigating Plaintiff's claims.  
It is Plaintiff's presumption he adhered to the Blue wall of silence and was compensated with a position -

114 as chief of staff at the sheriffs office,

115 the CPOC which Rogers was hired as Director of Investigation DID nothing for the tax paying citizens of Philadelphia.

116 when a municipal entity purports to provide a service at the expense 3 million in tax payer money, it is FRAUD.

M it is not only FRAUD when services are not rendered, it is CRIMINAL when agent of that agency violate the state and Federal Laws, or violation of citizens rights.

118 Rogers proclaimed Plaintiff Subpoenaed Fraudulent Claims from his agency to all his staff.

The ADA he colluded with admitted to plaintiff the BodyCam footage of P/D Ezekiel Cortes shows

119 The officer did put his hand on Plaintiff.

120 Shortly thereafter Rogers submitted the fraudulent claim to government officials that nothing occurred.

121 This is clear violation of the False Claims Act.

122 Especially when the agency he represented received 3 million in City of Philadelphia tax payer money.

123 From the plaintiff's observation there appears to be a pattern of rewarding officers that remain silent in police misconduct cases.

124 The Department of Justice revealed in its case the DOJ v the City of Philadelphia encompassing police abuse unconstitutional practice and that the PPD had a pattern of police abuse.

ie Bailey et al v City of Philadelphia filed by ACLU showed Black AND Latino men were disproportionately targeted.

- 105 ON September 20, 2023 plaintiff went to the 22nd District Police Station to inquire as to why his Criminal complaint for Fraud was not sent to central Detectives.
- 106 Plaintiff after 4 hours spoke to an officer requesting the disposition.
- 107 Plaintiff was given nowe and was assaulted by this officer, Plaintiff requested a supervisor and a officer come down stairs to front window.
- 108 It was officer named Cpl. Brooks, a woman officer, I had previously spoken to regarding police misconduct of officers at her district.
- 109 This officer refused to take my statement as to what just occurred. Ofc Brooks gave me a envelop with the officers name that assaulted me, his badge number, but no DC number.

- 130 Plaintiff alleges that on September 20 2023 after he was assaulted in the 22nd district Police Station by Ezekiel Cortes, the supervisor Cpl Brook refused to write a report, despite plaintiff informing her he was injured.
- 131 No District control number has been issued yet this day,
- 132 Philadelphia Police Department Directive 1Q.18 issued 8/29/14 effective that date, updated 10/25/22 subject complaint on police, states all complaint must be investigated by the supervising officer and the OPR Office of Professional Responsibility.
- 133 Order states that the supervisor shall prepare a complaint or incident report (75-48) even if no complaint filed at the time of the incident.
- 134 Brooks lied to plaintiff re: forwarding criminal complaint to Central Detectives re: FRAUD.

Philadelphia Police: A HISTORY OF BRUTALITY

141 Plaintiff hereby incorporates the prior and subsequent paragraphs of this Complaint as though fully set forth at length.

Count I

42 USC 1983 "Equal Protection Violation"

Count II

LIBEL

COUNT III

42 USC 1985 "Conspiracy To Interfere with Civil Rights"

Count IV

First Amendment "Retaliation"

Count V

FALSE CLAIMS VIOLATION

142 Plaintiff hereby incorporates the prior and subsequent paragraphs as though fully set forth at length

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Plaintiff has suffered from Defamation  
of Character

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

Wherefor Pro Se Plaintiff Prays the Honorable  
Court for relief as follows, Michael Gibson humbly  
ask the Honorable Court to grant damages against  
the Defendants

- (A) Compensatory Damages for each count, determined by Court
- (B) Punitive Damages as determined by Jury Trial
- (C) Compensation for Emotional Distress, mental anguish
- (D) Attorney fees if Court pool attorney assigned
- (E) For Defendants to pay all court cost  
False Claims Act awards.

Jury trial in accordance with the Pa Constitution

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23 day of JANUARY, 2025.

Signature of Plaintiff Michael Gibson  
Mailing Address 2130 N Van Pelt St  
Philadelphia  
Pennsylvania  
Telephone Number 267 370 4153  
Fax Number (if you have one) \_\_\_\_\_  
E-mail Address mikegibson007@gmail.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: \_\_\_\_\_

Inmate Number \_\_\_\_\_